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PATENT Docket No. 146712001400

CERTIFICATE OF HAND DELIVERY

hereby certify that this correspondence is being hand filed with the United States Patent and Trademark Office in Washington, D.C. on

January 24, 2003.

CETRADE

N. DeRiggi

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Bernard D. Pianalto

Group Art Unit: 1762

In the application of:

Samuel D. HARKNESS, IV et al

Serial No.: 09/781,978

Filing Date: February 14, 2001

For: POST-DEPOSITION ANNEALED

RECORDING MEDIA AND METHOD OF MANUFACTURING THE SAME

SUPPLEMENTAL RESPONSE UNDER 37 CFR 1.116

BOX AF

Commissioner for Patents Washington, D.C. 20231

Sir:

In response to the Advisory Action of January 21, 2003, please reconsider this application in light of the following Remarks:

REMARKS

Since only an unexecuted copy of the Declaration of Dr. Samuel D. Harkness, IV was submitted with the Response filed January 13, 2003, the Examiner has not considered the unexecuted Declaration. This is evident from the Advisory Action in which the Examiner has NOT checked out box 5(a). The executed copy of the Declaration is attached herewith. Applicants respectfully request the Examiner to reconsider this application in light of the executed Declaration.

In light of the above, the anticipation and obviousness rejections should be withdrawn and a Notice of Allowance is respectfully solicited.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952**, docket No. 146712001400.

By:

Respectfully submitted,

Dated: January 24, 2003

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